

TITLE 14

STREETS, SIDEWALKS, PUBLIC PROPERTY

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CHAPTER 14.10

Public Parks and Recreation Areas

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14.10.010 Definitions, Applicability and Scope.

A. The provisions of this Chapter shall apply to any park or recreation site owned, or operated, or hereafter owned or operated by the Town whether within or without the Town limits, and to any such facility within the Town limits owned or operated by any other governmental subdivision. This Chapter applies to all persons entering, using, or visiting any such recreation site or park.

B. The term "camping equipment," as the same appears in this Chapter, includes not only a tent or vehicle used to accommodate the camper, but also the vehicles used for transport, and any associated camping paraphernalia.

(Ord. 472 §12, 2003)

14.10.020 Sanitation. The following acts are prohibited at any recreation area, recreation site or park:

A. Failing to dispose of all garbage, including paper, cans, bottles, waste materials and rubbish, by removal from the site or area, or disposal at places provided by the Town for rubbish removal;

B. Draining or dumping refuse or waste from any trailer or other vehicle except in places or receptacles provided for such uses;

C. Cleaning fish or food, or washing clothes or articles of household use at any water faucets, restrooms or water hydrants;

D. Polluting or contaminating water supplies or water used for human consumption, or any creeks or rivers;

E. Depositing, except into receptacles provided for that purpose, any body waste in or on any portion of any rest room facility or any other public structure, or depositing any bottles, cans, cloths, rags, metal, wood, stone, or any other damaging substance in any of the fixtures in such stations or structures;

F. Using refuse containers or other refuse facilities for dumping household or commercial garbage or trash brought as such from private property.

G. Violation of subsections (A), (B), (C), (E), and (F) of this Section shall constitute a non-criminal municipal offense. Violation of subsection (D) of this Section shall constitute a Class A municipal offense.

(Ord. 472 §12, 2003)

14.10.030 Public Behavior and Preservation of Public Property and Resources. The following acts are prohibited within any park, recreation area, or recreation site:

A. Any act forbidden by any other section of Title 11 of this Code;

B. Inciting or participating in riots, or indulging in boisterous or abusive, threatening, or indecent conduct;

C. Destroying, defacing, or removing any natural feature or plant;

D. Destroying, injuring, defacing, removing, or disturbing in any manner any public building, sign, equipment, marker, or other structure or property;

E. Selling or offering for sale any merchandise without the prior written consent of

the Town Administrator;

F. Distributing any handbills or circulars or posting, placing or erecting any bills, notices, paper, or advertising devices or matter of any kind without the prior written permission of the Town Administrator;

G. Discharging firearms, firecrackers, rockets, or any other fireworks except that discharging a firearm in the Rural Agricultural Zone District shall not constitute a violation when discharging a firearm is necessary for predator control and the firearm is not discharged within five hundred feet (500') of any school; (Ord. 603 §1, 2009).

H. Operating or using any audio devices, including radios, televisions or musical instruments, or any other noise-producing devices such as an electrical generating plant in such a manner and at such times so as to disturb other persons using the recreation area or park;

I. Operating or using public address systems, whether fixed or portable, except with the prior written permission of the Town Administrator;

J. Installing any other aerial or special radio or telephone or television equipment unless previously approved by the Town Administrator in writing.

K. Violation of subsections (E), (F), (H), (I), and (J) of this Section shall constitute a Non-criminal municipal offense. Violation of subsection (B) of this Section shall constitute a Class B municipal offense. Violation of subsections (D) and (G) of this Section shall constitute a Class A municipal offense.

(Ord. 472 §12, 2003)

14.10.040 Occupancy of Recreation Areas. The following acts are prohibited within any recreation area, recreation site, or park:

A. Occupying a recreation site for other than primarily recreational purposes;

B. Entering or using a site or portion of a site closed to public use, as established by notices which shall be posted in such locations as will reasonably bring them to the attention of the public;

C. Occupying a site with camping equipment which is prohibited by the Town Administrator. Notices establishing limitation on the kind or type of camping equipment shall be posted in such locations as will reasonably bring them to the attention of the public;

D. Building a fire outside of stoves, grills, fireplaces, or outside of fire rings provided for such purposes, or leaving unattended any fire, or failing to extinguish a fire when leaving the park;

E. Camping overnight in places restricted to day use only;

- F. Failing to remove camping equipment, or to clean rubbish and trash before departure;
- G. Pitching tents or parking trailers or other camping equipment except in places specifically provided for such purposes;
- H. Camping overnight within a campground for a longer period than fourteen (14) days in any thirty (30) day period;
- I. Leaving a camping unit unoccupied during the first night after camping equipment has been set up, or leaving unattended camping equipment for more than twenty-four (24) hours, without written permission of the Town Administrator. Unattended camping equipment which is not removed within the prescribed time limit is subject to impoundment and removal by Town authorities;
- J. Failing to maintain quiet in campgrounds between the hours of 10:00 p.m. and 6:00 a.m.;
- K. Entering or remaining in campgrounds during darkness, except for those persons who occupy the campground for camping purposes or other person visiting those campers;
- L. Bringing a dog into any recreation area or site or park located within the Town limits, except into an area specifically set apart and designated by signs for dog runs.
- M. Violation of subsections (A), (B), (C), (E), (F), (G), (H), (I), (J), (K), and (L) of this Section shall constitute a non-criminal municipal offense. Violation of subsection (D) of this Section shall constitute a Class A municipal offense.

(Ord. 472 §12, 2003)

14.10.050 Regulation of Vehicles. The provisions of the Model Traffic Code, as adopted by reference by the Town of Parachute, shall apply within the limits of any recreation area, recreation site or park. In addition, the following acts shall be prohibited and shall constitute a non-criminal municipal offense within any developed recreation area, recreation site or park:

- A. Driving motor vehicles in excess of twenty (20) miles per hour;
- B. Driving or parking any vehicle or trailer except in places developed for that purpose;
- C. Driving bicycles, motor bikes, motorcycles, or other off-road vehicles off of established roadways or onto trails, unless such trails have been specifically marked for off-road vehicle use;
- D. Operating any motor vehicle or snowmobile in such a manner as will annoy or

disturb other users of the park or recreation area;

E. Operating any motor vehicle or snowmobile in any park or recreation area when the same has been closed to traffic. The Town Administrator or Police Chief, shall have the authority to close any park or recreation area for health or safety reasons at any time, and such closing shall become effective when signs giving notice thereof are erected at prominent locations within the park.

(Ord. 472 §12, 2003)

14.10.060 Promulgation of Rules and Regulations; Effect. The Town Administrator is hereby authorized to promulgate the rules and regulations governing conduct and activities within all public recreation areas, recreation sites and parks which are subject to the jurisdiction of the Town, pursuant to Section 11.14.010. Such regulations shall be designed for the purpose of ensuring the public health, safety and welfare, by providing for proper recreational use by all users of the Town's public recreation sites and parks, and minimizing the ecological damage to such sites and parks and annoyance to other park and recreation site users. Such regulations may include, but shall not be limited to, restrictions on use of various areas for specific recreational purposes; restrictions on the use of wheeled or motorized vehicles; restrictions on the number and location of overnight camping facilities; restrictions on the hours of use, and other similar regulations. The Town Administrator shall promulgate such regulations by submitting them in written form to the Board of Trustees. If the Board approves the regulations, they shall become effective when signs are in place within the public park, reasonably calculated to give notice to the public of such regulations. Any violation of any regulation duly promulgated and posted as required by this Chapter shall constitute a non-criminal municipal offense.

(Ord. 472 §12, 2003)

14.10.070 Fees and Charges. The Town may assess fees or user charges for the use of any public recreation facility, as defined in this Chapter. The amount of such fees shall be proposed by the Town Administrator, and submitted by him to the Board of Trustees. They shall become effective when approved by resolution of the Board. All fees and charges imposed by the authority granted within this Section shall be paid to the Town Treasurer, in such manner as he shall prescribe.

(Ord. 472 §12, 2003)

CHAPTER 14.90

Miscellaneous Provisions

Sections:

- 14.90.010 Ditches - Construction - Supervision.
- 14.90.020 Ditches - Obstruction Prohibited.
- 14.90.030 Ditches - Littering.
- 14.90.040 Duty to Keep Sidewalks Safe and Clean.
- 14.90.050 Encroachments Prohibited.
- 14.90.060 Notice and Removal of Encroachments and Debris.

14.90.010 Ditches - Construction - Supervision. Any person who constructs any ditch or flume or waterway along or across any public street or alley of the Town, except under the direction and supervision of the Public Works Director, commits a Class A municipal offense. It shall be the duty of the Public Works Director upon reasonable request to direct and supervise the construction of such waterway wherever it is necessary to convey water for irrigation or domestic purposes.

(Ord. 472 §13, 2003)

14.90.020 Ditches - Obstruction Prohibited. Any person who places any obstruction in any ditch or waterway or cuts or digs the bank thereof in such a manner as to cause the water to flow into any public street or alley of the Town, without receiving a permit therefor, commits a Class B municipal offense.

(Ord. 472 §13, 2003)

14.90.030 Ditches - Littering. Any person who throws or deposits or causes to be conducted into any ditch or watercourse within the Town any litter, filth or harmful substance commits a Class A municipal offense.

(Ord. 472 §13, 2003)

14.90.040 Duty to Keep Sidewalks Safe and Clean. The owner, occupant, or agent of the owner of any real property, including buildings or vacant lots, within the Town of Parachute is required to keep and maintain the sidewalks, gutters, curbs and curb walks on or adjacent to such real property in a clean and safe condition, free and clear of snow, ice, mud, dirt, rubbish, filth and other debris and obstructions. Such owner, occupant, or agent of the owner shall remove snow and ice from such sidewalks as soon as possible following a snowfall but in any event an accumulation of ice and snow shall be removed no later than eighteen (18) hours after every snowfall. Any person, firm or corporation who fails to keep and maintain such sidewalks in a clean and safe condition or who fails to remove an accumulation of snow or ice as

required in this Section shall be deemed guilty of a Non-criminal municipal offense. Each eighteen (18) hour period following a snowfall during which an owner, occupant or agent of real property, fails to remove an accumulation of ice and snow shall be deemed to be a separate and distinct offense. Any offense under this Section shall be one of strict liability.

(Ord. 472 §13, 2003)

14.90.050 Encroachments Prohibited. No encroachment, obstruction or unsafe condition, other than permitted by law, authorized by the Town Board, or by Town ordinance or resolution, shall be made, placed or suffered to any street, alley, sidewalk, curb, gutter, curbwalk or other public place or way within the Town. Any offense under this Section shall be a Non-criminal municipal offense.

(Ord. 472 §13, 2003)

14.90.060 Notice and Removal of Encroachments and Debris. Whenever any encroachment, obstruction or unsafe condition, including snow, ice, mud, dirt, debris, rubbish or filth is made, placed, permitted or maintained contrary to the ordinance codified in this Chapter, the Town Administrator or municipal law enforcement officers shall give notice to the party responsible for the unsafe condition, and/or to the owner or party in control of the real property involved, directing such person to remove or alleviate such encroachment, obstruction or unsafe condition within a time which is reasonable in light of the time required to effect the action, and the safety of persons and property. In the event such direction is not complied with, or if the party to whom notice is due cannot be given such notice, then the Town may effect such action, and the cost thereof may be assessed against the responsible party. Any such assessment may be made a lien on the real property involved, by recording a statement to that effect in the records of the Garfield County Clerk and Recorder and by mailing or delivering a copy of such statement to the owner and the party in control of such real property.

(Ord. 472 §13, 2003)